

REMARKS

Claim 1 is pending in this application, of which claim 1 has been amended. No new claims have been added.

Claim 1 stands under 35 USC §103(a) as unpatentable over U.S. Patent 5,967,489 to Nakazawa et al. (hereinafter "**Nakazawa et al.**") in view of U.S. Patent 5,505,464 to McGarvey (hereinafter "**McGarvey**").

Applicants respectfully traverse this rejection.

As noted in Applicants' responses of November 17, 2003 and June 2, 2004, Fig. 2 of **Nakazawa et al.** shows "a seal portion 18 of common construction (not shown in detail) interposed" between first and second fluid coupling members, as disclosed in column 4, lines 22-24. The "seal portion" appears to include an O-ring gasket, but Fig. 2 of **Nakazawa et al.** fails to show any part of the "seal portion" which corresponds to "gasket holding annular ridges on butting end faces thereof", as recited in claim 1 and as represented by members 71a, 72a in Fig. 1(b) of the instant application.

Furthermore, it should be noted that in the prosecution of the corresponding European application 99122292.8, claim 1 was allowed over the prior art of record with the inclusion of the following language into claim 1 via amendment:

... that the gasket holding ridges are in contact with the gasket at its radial midportion and accordingly the inner peripheral portion of the gasket is free of stress concentration and therefore develops no wrinkles.

This limitation is supported on page 10, lines 17-22 of the specification of the instant application.

The “seal portion” in Nakazawa et al. fails to be rounded so as to be in contact with the gasket only at its radial midportion, as are the ridges 71a, 72a in Fig. 1(b) of the instant application, and as recited in claim 1 of the instant application.

The Examiner has admitted that Nakazawa et al. fails to disclose the gasket holding annular ridges being rounded so as to be in contact with the gasket only at its radial midpoint, but has cited McGarvey for teaching this feature.

Applicants respectfully disagree. McGarvey discloses a face sealing fitting which includes two connectable tubular elements each having an annular end formation and a metal gasket including an outer annular section with a first axial dimension, an inner annular section concentric with the outer annular section and having a smaller axial dimension, and a tapered section having bevel faces between the inner and outer annular sections. Portions of the annular end formations which project axially the farthest beyond the tubular elements have a diameter substantially equal to the inner diameter of the inner annular gasket section and lie along the inner surface of the tubular elements to minimize dead volumes along the flowpath through the fitting.

Fig. 4 shows rounded sections 36, 38 abutting conical faces 32, 34 of gasket 12, but fails to show gasket holding annular ridges which are rounded so as to be in contact with the gasket only at its radial midportion, as recited in claim 1 of the instant application.

Fig. 1 of McGarvey shows the inner diameter of the gasket to be equal to the diameter of the opening passageway, and Fig. 3 of McGarvey shows the inner diameter of the gasket to be greater than the diameter of the opening passageway. This is in contrast to the present invention, in which, in the fully tightened position, the gasket (73) has an inside diameter less than the diameter of the opening passageway, as recited in claim 1 as originally filed.

Accordingly, claim 1 has been amended to recite this distinction, and the 35 USC §103(a) rejection should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, claim 1, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. **09/437,296**
Response to Office Action dated September 13, 2004

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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